



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/784,535	02/23/2004	Allen B. Chuvitz	

Allen B. Chefitz, M.D.  
 Suite 301  
 140 Lockwood Avenue  
 New Rochelle, NY 10801

CONFIRMATION NO. 7746

## FORMALITIES LETTER



\*OC000000012694995\*

Date Mailed: 05/18/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/23/2004 GWORDF1 00000031 10784535

FILED UNDER 37 CFR 1.53(b)

01 FC:2001 385.00 OP  
 02 FC:2051 65.00 OP

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - The line spacing on the specification, claims, or abstract is not 1½ or double spaced (see 37 CFR 1.52(b)).

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$450** for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*

---

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Allen B. Chefitz, M.D.

Application No.: 10/784,535

Filed: February 23, 2004

For: HERNIA MESH-DEVICE WITH  
INCORPORATED LOCAL ANESTHETIC

Confirmation No.: 7746

Group Art: 3731

Examiner: Not Yet Assigned

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

07/19/04

Date

Allen B. Chefitz  
Allen B. Chefitz, M.D.

Applicant

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements dated May 18, 2004 enclosed are:

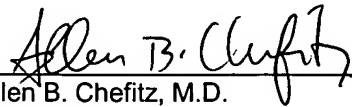
1. (X) A copy of the Notice to File Missing Parts. *(Required)*
2. (X) An executed Declaration for Patent Application.
3. (X) Request for Correction to Filing Receipt.
4. (X) Fee Calculation:
  - (X) Basic Filing Fee for a Non-Provisional for a small entity in the amount of \$385.00.
  - (X) A check in the amount of \$ 385.00 to cover the Basic Filing fee s enclosed.
5. **Surcharge:**
  - (X) Surcharge under 37 C.F.R. §1.16(e) *(Nonprovisional Application)*.
    - (x) \$65.00 *(Small Entity)* ( ) \$130.00 *(Large Entity)*.
  - (X) A check in the amount of \$ 65.00 to cover the Surcharge Fee is enclosed.
  - ( ) Charge \$ \_\_\_\_\_ to Deposit Account No. \_\_\_\_\_.

PATENT APPLICATION

Attorney Docket No. \_\_\_\_\_

- 6 (X) The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. \_\_\_\_\_. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. \_\_\_\_\_. This sheet is filed in triplicate.

\_\_\_\_\_  
July 19 2004  
(Date)

\_\_\_\_\_  
  
Allen B. Chefitz, M.D.  
Applicant

Allen B. Chefitz, M.D.  
Suite 301  
140 Lockwood Avenue  
New Rochelle, NY 10801